

Appn No. 10/523,496
Amdt date December 5, 2008
Reply to Office action of August 7, 2008

Amendments to the Drawings:

The attached sheets of drawings include changes to Fig. 3, Fig. 4a and Fig. 4b . The sheets, which includes Fig. 3, Fig. 4a and Fig. 4b, replaces the original sheets including Fig. 3, Fig. 4a and Fig. 4b.

Fig. 2 was amended by Supplemental Preliminary Amendment filed July 1, 2008. Amended Fig. 2 is included in the Replacement Sheets included in the Appendix following this amendment.

Attachment: Replacement Sheets (5 sheets)
 Annotated Sheet Showing Changes (3 sheets)

Appn No. 10/523,496
Amdt date December 5, 2008
Reply to Office action of August 7, 2008

REMARKS/ARGUMENTS

Claims 1-5 and 7-15 have been amended. Claims 6, 16 and 17 have been cancelled. Therefore, Claims 1-5, 7-15 and 18 are now pending in the instant application.

In the Office action, the Examiner has referred to the verified English translation of the specification in making objections to the specification. However, Applicant filed a Substitute specification on July 5, 2008, by which many of the Examiner's objections to the specification raised in the August 7, 2008 Office action were corrected. Applicant has corrected the remaining objections raised by the Examiner with the Substitute Specification submitted herewith.

Applicant also notes that PAIR shows page 9 of the clean copy of the Substitute Specification filed July 5, 2005, to be missing. The missing text, however, is shown on the compare copy of the Substitute Specification filed July 5, 2005. Additionally, the clean copy of the Substitute Specification shown in PAIR also has two copies of page 11. The enclosed replacement Substitute Specification contains the previously missing text of page 9. No new matter is added.

Objections to the Specification

The Abstract has been objected to. Applicant has replaced the abstract with a new abstract to address the objections indicated in the Office action. No new matter is added. Applicant requests withdrawal of this objection.

The Specification has been objected to because of informalities. Applicant has amended the Specification to address the informalities discussed in the Office action.

With regard to the objection concerning the Specification on page 10, lines 17 to 19, it is noted that the Substitute Specification specifies: "The second power switch LS2 as well as the first power switch LS1 are constituted by mechanical power switches in the form of relays or are constituted by full- or semi-bridged semiconductors." Hence, the specification does not state that each power switch is constituted by one relay, but that the two power switches may be constituted by multiple relays for example three relays, as shown in Fig. 3.

Appln No. 10/523,496
Amdt date December 5, 2008
Reply to Office action of August 7, 2008

Objections to the Drawings

The drawings have been objected to under 37 CFR 1.83 (a). Accordingly, the Specification, the Claims and the Drawings have been amended to overcome inconsistencies with regard to the usage of reference numerals. In particular, claim 2 now recites that the evaluator device is formed by a micro controller, as shown for example in Figs. 2 and 3 as micro controller μ C1. Claim 5 recites that the AND-link is formed by a series connection of the switch of the central control device and a switch of the logic of the control device. The noted switches are shown in Fig. 3 as transistors JFET and Q3. Reference numeral TSS no longer appears in the Specification in connection with Fig. 3. Reference symbol μ C no longer appears in claim 5. Reference symbols NT and LV have been deleted from Figs. 3, 4a and 4b. No new matter is added.

Objections to the Claims

The claims have been objected to because of informalities. The claims have been amended to overcome the objections. The language upon which the objections are based either has been corrected or no longer appears in these claims.

Double Patenting

Claims 16 and 17 have been objected to under 37 CFR 1.75 for a possible double patenting. Claims 16 and 17 have been cancelled.

Rejection of the Claims under 35 U.S.C. 112

Claims 1-5, 7-14 and 18 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1, 3, 5, 7, 10 and 14 have been amended so that the language upon which the rejections are based either has been corrected or no longer appears in the claims.

With regard to the rejection of claim 1, claim 1 has been amended to recite that "the power switch of the unit control device is controllable by the central control device via the independent electrical lead connection, the central control device thus enabling, via the independent electrical lead connection, the unit control device to actuate the electromechanical

Appn No. 10/523,496
Amdt date December 5, 2008
Reply to Office action of August 7, 2008

unit into the blocking state, the actuating not being possible without the enabling by the central control device.”

With regard to the rejection of claim 3, claim 3 has been amended to recite “the central control device is constituted to apply a potential to the independent electrical lead connection.”

With regard to the rejection of claim 5, claim 5 has been amended to recite that “for controlling the blocking state, the central control device and a logic of the unit control device are linked by a logical AND-link formed by a series connection of the switch of the central control device and a switch of the logic of the control device.”

With regard to the rejection of claim 7, claim 7 has been amended to recite that “for controlling the power switch of the unit control device, a potential applied to the independent electrical lead connection is switchable, by the central control device, between an earth potential and a control potential which is smaller than or equal to a battery potential.”

With regard to the rejection of claim 10, claim 10 has been amended to recite that “the micro controller of the unit control device is connected to the independent electrical lead connection for evaluation of a potential of the independent electrical lead connection.”

With regard to the rejection of claim 14, claim 14 has been amended to recite the step of “actuating an electromechanical unit of the lock through a power switch of the unit control device in dependence of the potential if a fault-free functioning of the central control device and the signal links is detected during the evaluating.”

Applicant believes that the above discussed amendments overcome the rejection of claims 1-5, 7-14 and 18 under 35 U.S.C. 112.

Rejection of the Claims under 35 U.S.C. 103(a)

Claim 1-13, 16 and 17 have been rejected under 35 U.S.C. 103 (a) as being unpatentable over Segawa et al. (US 6,133,646) in view of Kanda et al. (US 6,798,336) and Rathmann (US 5,777,395). Applicant has cancelled claims 6, 16 and 17 and believes that claims 1-5 and 7-13

Appln No. 10/523,496
Amdt date December 5, 2008
Reply to Office action of August 7, 2008

are patentable over Segawa et al. in view of Kanda et al. and Rathmann for the reasons set forth below.

Claim 1 recites that the unit control device is connected to the central control device “through the independent electrical lead connection.” Claim 1 further recites that the power switch of the unit control device “is controllable by the central control device” via the independent electrical lead connection.

In addition, claim 1 has been amended to recite the central control device thus “enabling, via the independent electrical lead connection, the unit control device to actuate the electromechanical unit into the blocking state, the actuating not being possible without the enabling by the central control device.” Support for this amendment can be found on page 4, last two paragraphs, of the translation of the original international (PCT) application.

In contrast, Segawa et al., Kanda et al. and Rathmann do not teach or suggest the noted limitations of claim 1.

Segawa et al. disclose a system for a lock device of a vehicle having two motors and three relays. The operation of such motors is controlled by a unit control device (a microcomputer). The lock device is operable to perform an unlock, a lock and a so called lock-keep operation.

In contrast to claim 1 of the instant application, Segawa et al. do not teach or suggest a central control device. Segawa et al. furthermore do not teach or suggest that the operation of a power switch of the (local) unit control device may be controlled via a central control device. In addition, Segawa et al. do not teach or suggest that a unit control device is connected to a central control device through an additional lead connection being independent of the common signal links, wherein via the independent lead connection the power switch is controlled and the unit control device is enabled to actuate the electromechanical unit into the blocking state.

Kanda et al. does not teach or suggest the noted limitations of claim 1. Kanda et al. teach a remote vehicle door control system having a communication device carried by a user and a

Appln No. 10/523,496
Amdt date December 5, 2008
Reply to Office action of August 7, 2008

receiver for receiving a wireless signal from the communication device. The system of Kanda et al. further has an arbitration unit for granting a receiver usage privilege of system units.

Additionally, in contrast to claim 1 of the instant application, Kanda et al. do not teach or suggest that the operation of a power switch of the (local) unit control device may be controlled via a central control device. In addition, Kanda et al. do not teach or suggest that a unit control device is connected to a central control device through an additional lead connection being independent of the common signal links, wherein via the independent lead connection the power switch is controlled and the unit control device is enabled to actuate the electromechanical unit into the blocking state.

Furthermore, in strong contrast to claim 1 of the instant application, Kanda et al. do not refer to a system for transferring a locking device into a blocking state.

In contrast to claim 1 of the instant application, Rathmann does not disclose a central control device. Rathmann only discloses the operation of a (local) unit control device of a locking system. Accordingly, Rathmann also does not teach or suggest how a (local) unit control device may be controlled within a safety system via a central control device and enabled for actuation into a blocking state.

For the foregoing reasons, Applicant believes that claim 1 is patentable over Segawa et al. in view of Kanda et al. and Rathmann.

Claims 14, 15 and 18 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Segawa et al. in view of Kanda et al. and Rathmann and further in view of Iwatani et al. (US 6,629,512).

Claim 14 recites a method for safeguarding a locking device of a motor vehicle, having the step of “evaluating the functioning” of a central control device and its signal links of the central control device. Claim 14 further recites the step of “actuating an electromechanical unit of the lock” through a power switch of the unit control device in dependence of the potential “if a fault-free functioning” of the central control device and the signal links is detected during the evaluating.

Appn No. 10/523,496

Am dt date December 5, 2008

Reply to Office action of August 7, 2008

Claim 15 recites a method for safeguarding a locking device of a motor vehicle, having the step of "detecting the failure or breakdown" of a bus system of the motor vehicle through a central control device of the motor vehicle and initiating an emergency operation or transferring information on an initiated emergency operation from a unit control device through the bus system to the central control device. Claim 15 further recites the step of applying a potential to a lead connection, wherein in dependence on the potential applied to the lead connection "an actuation of the locking device into the blocking state is prevented."

For the reasons set forth above regarding the rejection of claim 1, Applicant believes that Segawa et al., Kanda et al., Rathmann do not teach or suggest the noted limitations of claims 14 and 15.

Furthermore, Iwatani et al., in strong contrast to the instant application, is directed to an internal combustion engine. Iwatani et al. do not teach or suggest how the operation of a locking device may be controlled within a locking system. Iwatani et al. does not refer to a locking system. Accordingly Iwatani et al. also do not teach or suggest the noted limitations of claims 14 and 15.

Based on the foregoing, Applicant believes that claims 14, 15 and 18 are patentable over Segawa et al. in view of Kanda et al. and Rathmann and further in view of Iwatani et al.

In view of the foregoing, Applicant believes that claims 1-5, 7-15 and 18 are now in condition for allowance and allowance of same is respectfully requested.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By

Saeid Mirsafian, Reg. No. 52035
Telephone: 626/795-9900

SM/rmw

RMW IRV1115599.3-* 12/5/08 4:25 PM